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13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**

15 UNITED STATES OF AMERICA,

16 Plaintiff,

17 v.

18 KAREN CHAPON,
aka "Karen Hannafious,"

19 Defendant.

Case No. 2:20-mj-00664-BNW

**Stipulation to Extend Deadlines to
Conduct Preliminary Hearing and
File Indictment (First Request)**

20
21 IT IS HEREBY STIPULATED AND AGREED, by and between Robert Zink,
22 Chief, Fraud Section, United States Department of Justice, Blake Goebel, Trial Attorney,
23 Nicholas A. Trutanich, United States Attorney, and Jessica Oliva, Assistant United States
24 Attorney, counsel for the United States of America, and Lisa Rasmussen, Esq., counsel for

1 Defendant Karen Chapon, *aka* Karen Hannafious, that the Court vacate the preliminary
2 hearing scheduled for August 26, 2020, at 3:00 p.m. and reschedule the hearing for a date
3 and time convenient to this Court, but no sooner than 60 days from the currently scheduled
4 date. This request requires that the Court extend two deadlines: (1) that a preliminary
5 hearing be conducted within 21 days of a released defendant's initial appearance, *see* Fed. R.
6 Crim. P. 5.1(c); and (2) that an information or indictment be filed within 30 days of a
7 defendant's arrest, *see* 18 U.S.C. § 3161(b).

8 This stipulation is entered into for the following reasons:

9 1. Under Federal Rule of Criminal Procedure 5.1(c), the Court "must hold the
10 preliminary hearing within a reasonable time, but . . . no later than 21 days [after the initial
11 appearance] if [the defendant is] not in custody"

12 2. However, under Rule 5.1(d), "[w]ith the defendant's consent and upon a
13 showing of good cause—taking into account the public interest in the prompt disposition of
14 criminal cases—a magistrate judge may extend the time limits in Rule 5.1(c) one or more
15 times"

16 3. Furthermore, under the Speedy Trial Act, 18 U.S.C. § 3161(b), "[a]ny
17 information or indictment charging an individual with the commission of an offense shall be
18 filed within thirty days from the date on which such individual was arrested or served with a
19 summons in connection with such charges. If an individual has been charged with a felony
20 in a district in which no grand jury has been in session during such thirty-day period, the
21 period of time for filing of the indictment shall be extended an additional thirty days."

22 4. Defendant needs additional time to review information provided by the
23 government and investigate potential defenses.
24

1 5. Moreover, the parties have entered into negotiations in an attempt to
2 promptly resolve this case and reduce the judicial and government resources required by
3 this case. The defense requires additional time to adequately advise Defendant regarding
4 any plea negotiations.

5 6. The additional time requested herein is not sought for the purposes of delay,
6 but to allow counsel for Defendant sufficient time to effectively and thoroughly research and
7 prepare and to determine whether to proceed with a preliminary hearing and indictment or
8 to resolve this case through negotiations.

9 7. Accordingly, the parties jointly request that the Court schedule the
10 preliminary hearing in this case no sooner than 60 days from the currently scheduled date.

11 8. Defendant is out of federal custody, agrees to the extension of the 21-day
12 deadline imposed by Rule 5.1(c) and the deadline imposed by 18 U.S.C. § 3161(b), waives
13 any right to remedies under Rule 5.1(c) or 18 U.S.C. § 3161(b), and requests that the time
14 between Defendant's initial appearance on August 12, 2020, and the rescheduled
15 preliminary hearing be excluded in computing the time within which an information or
16 indictment must be filed under 18 U.S.C. §3161(b).

17 9. The parties agree to the extension of these deadlines.

18 10. Accordingly, the additional time requested by this stipulation is (a) allowed
19 under Federal Rule of Criminal Procedure 5.1(d); and (b) excludable in computing the time
20 within which the defendant must be indicted and the trial herein must commence pursuant
21 to the Speedy Trial Act, 18 U.S.C. § 3161(b) and (h)(7)(A), considering the factors under 18
22 U.S.C. § 3161(h)(7)(B)(i) and (iv).

1 11. This is the first request for an extension of the deadlines by which to conduct
2 the preliminary hearing and to file an indictment.

3 DATED this 17th day of August, 2020.

4 Respectfully submitted,

5 NICHOLAS A. TRUTANICH
6 United States Attorney

7 /s/ Lisa Rasmussen
8 LISA RASMUSSEN, ESQ.
9 Counsel for Defendant
10 KAREN CHAPON

/s/ Jessica Oliva
JESSICA OLIVA
Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

KAREN CHAPON,
aka "Karen Hannafious,"

Defendant.

Case No. 2:20- mj-00664-BNW

**[Proposed] Order on Stipulation to
Continue Preliminary Hearing and
Deadline to Indict Defendant**

Based on the stipulation of counsel, good cause appearing, and the best interest of justice being served; the time requested by this stipulation being excludable in computing the time within which the defendant must be indicted and the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(b) and (h)(7)(A), and Federal Rule of Criminal Procedure 5.1, considering the factors under 18 U.S.C. § 3161(h)(7)(B)(i) and (iv):

IT IS THEREFORE ORDERED that the preliminary hearing currently scheduled for August 26, 2020 at the hour of 3:00 p.m., be vacated and continued to 10/26/2020 at the hour of 11:30 a.m.

DATED this 21 day of August, 2020.


HONORABLE BRENDA N. WEKSLER
UNITED STATES MAGISTRATE JUDGE